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REMARKS

The application has been reviewed in light of the Office Action dated October 16, 2007. Claims 8, 9, 13, 14, 17, 19-21, 30, 31, 35, 36, 39, 41-43, 52, 53, 57, 58, 61, 63-65 and 82-108 are pending, with claims 1-7, 10-12, 15, 16, 18, 22-29, 32-34, 37, 38, 40, 44-51, 54-56, 59, 60, 62 and 66-81 having previously been canceled, without prejudice or disclaimer. The Office Action indicates that claim 8, 9, 13, 14, 17, 19-21, 30, 31, 35, 36, 39, 41-43, 52, 53, 57, 58, 61, 63-65 and 106 have been allowed. By this Amendment, claim 107 has been amended to correct an informality therein, and independent claims 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105 have been amended to clarify the claimed subject matter. Accordingly, claims 82-105, 107 and 108 are presented for reconsideration, with claims 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105 being in independent form.

Claims 107 and 108 were objected to as having informalities.

By this Amendment, claim 107 has been amended to correct an informality therein.

Withdrawal of the objection to the claims is respectfully requested.

Claims 82, 84, 90, 92, 98 and 100 were rejected under 35 U.S.C. § 102(e) as purportedly anticipated by U.S. Patent No. 6,940,615 (Shima '615). Claims 85, 86, 93, 94, 101 and 102 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of U.S. Patent No. 6,816,911 (Toyoda '911). Claims 87, 88, 95, 96, 103 and 104 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of U.S. Patent No. 6,493,103 (Toyoda '103). Claims 89, 97 and 105 were rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over Shima '615 in view of U.S. Patent No. 6,333,789 (Shima '789). Claims 83, 91, and 99 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of U.S. Patent No. 5,818,609 to Yamamuro.

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Applicant submits that the cited references do not disclose or suggest notifying a sending communications machine of communications capability of a transfer communications machine at a beginning of communications of image information. Such feature, as well as other features, are present in each of independent claims 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105 of the present application.

Shima '615, column 23, line 43-60, and column 24, lines 13-34 (reproduced below) was cited in the Office Action as allegedly disclosing a controlling mechanism configured to instruct said notifying mechanism to notify said sending communications machine of said communications capability at a beginning of communications.

In addition to the original printer function, the network-compatible printer 51 has the function of managing the downstream printers 52, 53, . . . n and of connecting these printers to the Internet 55 (hereinafter referred to as a "printer management function"). The printer management function has the following two processing functions. *The first processing function is a function of examining the performance attributes of each of the downstream printers 52, 53, . . . n and reporting the result of such examination to the host 54 (hereinafter referred to as "examination processing").* The second processing function is a function of transferring a print job received from the host 54 to a printer selected from the printer group (hereinafter referred to as "transfer processing"). The transfer processing includes an operation for selecting a printer on the basis of the performance attributes of each printer (hereinafter referred to as a "determination operation"). The details of these processing and operations will be described later.

... When all the printers have been examined, the network-compatible printer 51 sends to the host information including the performance attributes of all the printers of the printer group and the performance attributes of the network-compatible printer 51 (1103).

The examination processing may be performed, e.g., when the network-compatible printer is first connected to the host 54 or when the host 54 requires the network-compatible printer to report the performance attributes of the printers. Alternatively, the examination processing may be performed *when the network-compatible printer 51 starts up or when any of the downstream printers 52, 53, . . . n starts up after booting of the network-compatible printer 51*. Further, so long as the performance attributes of the downstream printers are examined and stored at regular intervals after the network-compatible printer 51 has started up, the result of such examination may be sent to the host 54 when the network-compatible printer is connected to the host 54 or when the host 54 requires the network-compatible printer 51 to report the performance attributes of the printers.

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Thus, Shima '615 proposes that the network-compatible printer has two distinct functions, (i) examination processing and (ii) transfer processing.

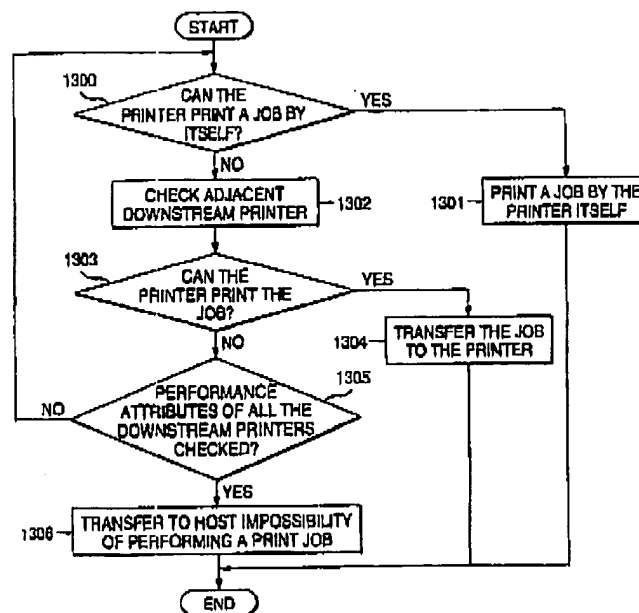
Examination processing can be performed at any of several timings proposed by Shima '615.

The Office Action states that "start up" as referenced in Shima '615 is equated to beginning of communication.

To the contrary, however, it is clear that "start up" in Shima refers to the time period after booting of the network-compatible printer. It would have been understood by one skilled in the art that no communications of image information would have been performed at such start up.

Fig. 14 (reproduced below) of Shima '615 shows the transfer processing proposed in Shima '615:

FIG. 14



As can be seen in Fig. 14 of Shima '615, the transfer processing proposed in Shima '615

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includes notifying the host machine if printing of the print job is impossible, but does not include reporting the results of examination processing to the host machine or notifying the sending communications machine of communications capability of a transfer communications machine at a beginning of communications of image information.

Likewise, the other cited references do not disclose or suggest such features of independent claims 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105 of the present application.

Toyoda '911, as understood by Applicant, proposes a relay apparatus which relays image information from a terminal on a computer network to a facsimile transmission destination on a telephone network, and has a control section for detecting whether the facsimile transmission destination is busy.

Toyoda '103, as understood by Applicant, proposes an approach for image data communication between an electronic mail apparatus and a facsimile apparatus.

Shirna '789, as understood by Applicant, proposes a printing system wherein a plurality of types of information having different priorities are processed according to their respective priorities, multiple logical channels are generated by combining a protocol in a transport layer of a network and a print queue in an application layer, priority is allocated to each logical channel, a host computer sends generated information to a predetermined logical channel by referring to a priority table, and a printer discriminates the priority of received information by referring to a priority table and executes the processing of the information according to the priority.

Yarnamuro, as understood by Applicant, proposes a facsimile apparatus configured to transfer image data from a host computer and stop the transfer if image data stored in a memory of the facsimile apparatus has reached a predetermined volume.

However, applicant does not find teaching or suggestion in the cited art of notifying a

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sending communications machine of communications capability of a transfer communications machine at a beginning of communications of image information.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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